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BOOK REVIEWS.

HANDBOOK OF THE LAW OF BANKS AND BANKING. By Francis B. Tiffany, St. Paul, Minn. West Publishing Co. 1912; pp. xi, 701.

I am bound to believe that one who essays to sit in judgment on the merits of a book should first of all ascertain the purpose of the author in writing it, the objects at which he aimed, the plan he adopted and last but by no means least, whether any useful purpose could be accomplished by the publication of such a book—that is whether the subject covered by the book had not already been as well and as completely covered by other publications. I take it that the function of the reviewer is not to condemn the work of an author because the author has not done it as the reviewer would have done it had he had it to do. I believe that the judgment of the reviewer should be based upon the fact whether or not the author has produced according to his purpose and according to his plan, (whether that plan is of his own choosing or is imposed upon him by the choice of others) a work of value to those whom it was designed to aid. Tiffany on Banks and Banking comes to us in the form made familiar to readers of this Review and to lawyers and law students generally through the thirty odd volumes of the Hornbook series which preceded it. The author did not design it to be and does not pretend that it is an exhaustive treatise on the law of banks and banking. His purpose was to present the law of the subject, in brief compass in accordance with the plan of the series of which his work is a part. His further purpose was to make his book serve the needs of those who are preparing to enter the practice and of practitioners as well—a purpose in most instances of doubtful accomplishment. The author recognizes, he says, that the subject is one that concerns practitioners rather than law students and for that reason he has covered many questions in the text and notes that might have been omitted, had the book been intended primarily for law students, and he has made a fuller citation of the decisions than he otherwise would have made. In this connection it is worthy of remark that the author has referred to something like three thousand cases in the course of his work from which in numerous instances he has made extended quotations in his notes. Notwithstanding the author's apparent opinion that this book will serve the needs of the practitioner better than it will serve the needs of law students, a fair examination of his treatment of the subject will, I am confident, force a different conclusion. The work is necessarily elementary. It could not be otherwise and conform to the plan of its companion volumes of the Hornbook series. Therein lies its chief value. The law student who desires to acquaint himself with the law relating to the creation and organization of banks, their powers and authority, their quasi-public functions, their obligations and duties, their rights and privileges will find in this book brief and ready means of satisfying his desire and will read the book with profit and with pleasure. This phase of the subject is treated by the author almost exclusively upon the basis of the National Bank

Act which is set out in an appendix as it appears in the Revised Statutes with the notes and annotations to the various sections thereof as they appear in the U. S. Compiled Laws, Supplement 1911.

The subject of carrying on banking, the conducting of the banking business—the relations between banks and their customers, the relative rights, duties and obligations, takes a wider range, and embraces banks organized under State authority as well as under National authority. Obviously an author must labor under some disadvantage and be subject to some restraint who must conform to a plan not of his own choosing. He must bring his whole work within limits set by others. He must restrict where if left to his own devices he might deem it necessary or proper to enlarge. He is subject to the constant restraint of conforming to prearranged limits. No judgment should in this case be passed upon the author or his book without due consideration of the fact that he labored under the necessity from the beginning of making his work "in accordance with the plan of the Hornbook series." In saying this I am not asserting that the Hornbook series is in any respect defective in plan or execution. I am simply affirming what I think must be conceded that an author is to no inconsiderable degree handicapped who is compelled to work under the restraint of a plan not his own, and that work done under such conditions cannot be fairly judged without taking into consideration the effect of the conditions, and making due allowance therefor. Nor am I intimating in the least that the book in question is too much limited in compass by the plan to which it was made to conform or otherwise. On the contrary I regard it as all the better because of its brief compass. That fact alone would attract hundreds of student readers where a more extended treatise would repel them. So, for the law student it is all the better because it is comparatively brief and for the practitioner it is just as well and perhaps better because what he wants of a textbook is the suggestion of a trail which for his special purposes he can best follow to the limits in his own way. My examination of this book in respect to both of the author's announced purposes leads me to conclude that it is no unnecessary or unwelcome intruder into the field of banks and banking but is a distinct aid to investigators of the law of that important and interesting subject. R. E. B.

IMMIGRATION AND LABOR—THE ECONOMIC ASPECTS OF EUROPEAN IMMIGRATION TO THE UNITED STATES. By Isaac A. Hourwich, Ph.D. (Expert Special Agent on Mining, United States Bureau of the Census) G. P. Putnam's Sons, New York and London, The Knickerbocker Press, 1912. pp. xvii, 544.

As the title indicates, this is an avowed attempt to treat of the economic effects of immigration on labor conditions in this country. The author undertakes to show that the usual charges made against unrestricted immigration, i. e. that it has resulted in the crowding out of native American laborers in many industries, in an increased rate of unemployment, in the lowering of the standard of living among American and older immigrant laborers, in a reduction of the rate of wages or in the prevention of an increase therein, in